

Application No.: 09/598,668
Amendment dated: October 15, 2007
Reply to Office Action of: March 22, 2007

REMARKS

By the foregoing amendment, claims 1, 8 and 15 have been amended. No new matter is being added. Claims 1-21 are pending in the application. In view of the foregoing amendments and the remarks urged here, Applicant respectfully requests that the Examiner reconsider all outstanding rejections.

Claim Objections

The Examiner has objected to claim 15 because of an informality. Applicant has corrected the claim to remove the informality.

35 U.S.C. § 112 Rejections

The Examiner has rejected claims 1, 8, and 15 as failing to comply with the enablement requirement.

Applicant has amended claims 1, 8, and 15 to more particularly point out and distinctly claim the subject matter regarded as the invention. In particular, claims 1, 8, and 15 have been amended to recite a “stream file having a data file and a data type.” Support for the recitation can be found in the Specification page 26 line 18 – page 27 line 8.

35 U.S.C. § 103 Rejections

The Examiner has rejected claims 1-2 and 8-9 under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,101,531 to Eggleston et al. (“Eggleston”) in view of U.S. Patent No. 6,038,603 to Joseph (“Joseph”) and further in view of U.S. Patent No. 6,757,483 to Sawabe et al. (“Sawabe”). The Examiner has rejected claims 3-7 and 10-14 under 35 U.S.C. § 103 as being unpatentable over Eggleston, Joseph, and Sawabe in view of U.S. Patent No. 6,295,541 to Bodnar et al. (“Bodnar”). The Examiner has additionally rejected claims 15-21 under 35 U.S.C. § 103 as being unpatentable over Eggleston, Joseph, Sawabe, and Bodnar and further in view of U.S. Patent No. 6,317,777 to Skarbo et al. (“Skarbo”).

Applicant has amended claims 1, 8 and 15 to more particularly point out and distinctly claim the subject matter regarded as the invention. In particular, claim 1 has been amended to

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recite that the stream file “having a data file and a data type, said data type unidentifiable to said device external to said handheld device library type and a data type.” Claim 8 has been amended to recite the stream file “having a data file and a data type, said data type unidentifiable to said device external to said handheld device library type and a data type.” Similarly, claim 15 has been amended to recite the stream file “having a data file and a data type, said data type unidentifiable to said device external to said handheld device library type and a data type.”

A problem recognized by embodiments of the present invention is the difficulty in programming customized conduits for the transfer of customized information or data between a handheld device, and typically, a desktop computer. Customized conduits are a laborious and difficult customized synchronization between generally two applications – an application resident on the handheld device and an application resident on the desktop computer. Therefore, the present invention proposes the use of an exchange manager resident on the handheld device which can import and export universal data and information between the handheld device and the desktop computer in the form of a stream file. The exchange manager converts the data or information into stream files which can be recognized at the desktop computer (for instance, for exporting data from the handheld device to the desktop computer) and at the handheld computer (for exporting data from the desktop computer to the handheld device). The stream file has a data file and data type for recognition by the exchange manager. Importantly, the desktop computer need not be able to identify the data type of the data which is being exported by the handheld device. An application resident on the handheld device, can, then perform any necessary format conversion on the stream file, therefore rendering any conduit manager unnecessary.

The Examiner’s base reference, Eggleston, is directed to a virtual session manager for maintaining a session in a sessionless data communication. Although Eggleston discloses a data exchange manager, Applicant respectfully submits that the data exchange manager of Eggleston does not function in the same manner as the exchange manager included in the present invention. First, the aim of Eggleston is to filter out any unwanted electronic mails over expense-bearing networks. There is no such filtering required in the exchange manager of the present invention. Second, Eggleston’s data exchange manager includes a timer such that querying of the host

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discontinues after a set amount of time. No such timer is required in the exchange manager of the present invention. Indeed, there is no need to filter or set limits on data transfers in the present invention since there is no expense-bearing network involved. Any information or data exchange between handled computers and desktop computers are not limited or filtered in any such way. Applicant respectfully submits that Eggleston fails to disclose or suggest crucial recited limitations of the present invention.

The shortcomings of Eggleston are not overcome by Joseph. Joseph is directed to identifying encapsulating or operational protocols from a universal resource locator. However, Joseph does not teach or suggest a exchange manager referencing an exchange library associated with said identified transport mechanism from a plurality of exchange libraries. Joseph additionally does not teach or suggest any features of an exchange manager as defined in independent claims 1, 8 or 15.

None of the other cited references by the Examiner teach or suggest an exchange manger for converting information to a stream file having a library type and a data type. Bodnar is directed to a method of synchronizing two or more datasets using a reference dataset. Bodnar does not teach or suggest an exchange manger for converting information to a stream file. Sawabe is directed to an information recording medium and does not teach or suggest an exchange manager for converting information to a stream file. Skarbo is directed to a document collaboration videoconferencing system. Skarbo does not teach or suggest an exchange manger for converting information to a stream file.

Therefore, Applicant respectfully submits that any combination of Eggleston, Joseph, Bodnar and Skarbo does not teach or suggest every claimed feature of the invention. The prior art reference (or references) must teach or suggest all of the claim limitations. *In re Vaeck*, 947 F.2d 488 (Fed. Cir. 1991). Since a *prima facie* case of obviousness has not been set forth, Applicant respectfully submits that independent claims 1, 8 and 15 are allowable over the cited references. Claims 2-7, 9-14 and 16-21, by their dependency on claims 1, 8 and 15 respectively, are similarly allowable. Early notice to that effect is earnestly solicited.

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Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections, and that they be withdrawn. The Examiner is invited to telephone the undersigned representative if an interview might expedite allowance of this application.

Respectfully submitted,

BERRY & ASSOCIATES P.C.



Dated: October 15, 2007

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